

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

In re:)	
)	Chapter 7, No. 23-40709-CJP
WESTBOROUGH SPE LLC)	
)	
Debtor)	

**TRUSTEE'S OPPOSITION TO THE MOTION OF LOLONYON AKOUETE FOR
COURT INTERVENTION REGARDING CONTINUATIONS AND TO INVESTIGATE
POSSIBLE COLLUSIVE TRANSACTIONS RELATED TO THE SALE OF
DEBTOR PROPERTY (DOCKET #135)**

NOW comes JONATHAN R. GOLDSMITH, the duly appointed, qualified and acting Trustee ("Trustee") in the above-captioned case, and Objects to the Motion of Lolonyon Akouete for Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property ("Motion"). In support of this Opposition, the Trustee states that:

1. The Motion of Lolonyon Akouete ("Akouete") is just another attempt by him to try and force the Trustee to capitulate to Akouete's unreasonable and self-serving demands and directives as to how the case should be administered by the Trustee. In this attempt to thwart the Trustee from complying with his duties and responsibilities including those under 11 U.S.C. §704(a), Akouete continues to make defamatory and groundless allegations of inappropriate actions on the part of the Trustee.

2. As noted in prior responses of the Trustee filed to other pleadings in this case, there is a legitimate question as to whether Akouete has legal authority to act on behalf of the Debtor. This issue also raises questions as to the validity of his claim in the case where he asserts that he is owed funds for services rendered as manager of the Debtor as well as for some sort of undocumented finder's fee.

3. The Trustee further submits that a settlement agreement ("Settlement") resolving the

disputes surrounding the subject property (231 Turnpike Road, Westborough, Massachusetts) is expected to be finalized within the next few days. Thereafter, the Trustee will file a motion under Fed. R. Bankr. P. 9019(a) seeking Court approval of the Settlement. At that point, parties in interest with standing to object to the Settlement can certainly do so if they deem it warranted. The Trustee notes that the Settlement is global in nature and will be executed by parties in interest, namely: the Trustee, the Town of Westborough, Lax Media LLC, Lax Media MA LLC, Ferris Development Group LLC, Nathanson & Goldberg, P.C. and The Mobilestreet Trust.

4. The Trustee further submits that upon approval of the Settlement and sale of the subject property, there will likely be sufficient funds to pay all allowed creditor claims in full as well as provide surplus funds to the member(s) of the Debtor.

5. Finally, the Trustee reserves the right to request that the Court issue sanctions against Akouete for his baseless assertions contained in the Motion.

WHEREFORE, the Trustee requests that:

1. Akouete's Motion for Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property be denied; and

2. For such other relief that is just and proper.

Dated: 5/14/24

JONATHAN R. GOLDSMITH, TRUSTEE IN
BANKRUPTCY FOR WESTBOROUGH SPE LLC

By: /s/ Jonathan R. Goldsmith, Esq.

JONATHAN R. GOLDSMITH, ESQ.

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